

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

TROOPER 1,

Plaintiff,

v.

NEW YORK STATE POLICE, ANDREW CUOMO,
MELISSA DEROSA and RICHARD AZZOPARDI,

Defendants.

Case No.: 22-cv-00893 (LDH) (TAM)

**MOTION AND DECLARATION PURSUANT TO LOCAL RULE 1.4
FOR LEAVE FOR THE WITHDRAWAL OF KYLE FRASER AS
ATTORNEY OF RECORD**

I, Catherine M. Foti, an attorney of record for Defendants Melissa DeRosa and Richard Azzopardi, hereby move the Court pursuant to Local Rule 1.4 for an order, substantially in the form attached hereto as **Exhibit A**, granting leave to withdraw the individual appearance of Kyle Fraser as an attorney of record in this action. In support thereof, and pursuant to 28 U.S.C. § 1746, I declare as follows:

1. On July 23, 2023, Kyle Fraser departed Morvillo Abramowitz Grand Iason & Anello P.C. (“Morvillo Abramowitz”) and is no longer associated with this law firm.
2. Morvillo Abramowitz, including Elkan Abramowitz, the undersigned, and Joseph Stern, will continue to represent Ms. DeRosa and Mr. Azzopardi in this action. We are all fully familiar with the litigation and proceedings to date.
3. Because the Motion herein will not result in a change of the law firm representing Ms. DeRosa and Mr. Azzopardi, I respectfully submit Mr. Fraser’s withdrawal as counsel of record will not affect this action in any way, will not alter the posture of the case, and will not prejudice any party.

4. For the foregoing reasons, I hereby request that Kyle Fraser be removed as counsel of record from the Electronic Case Filing (“ECF”) system, and that no further documents, notices, or other pleadings in this action be served upon him.

5. The filing of this Motion electronically using the Court’s ECF system constitutes good and proper service on all parties and their registered attorneys of record. A copy of this Motion and Exhibit A shall also be provided to Ms. DeRosa and Mr. Azzopardi.

6. I declare under penalty of perjury that the foregoing is true and correct.

Dated: August 30, 2023
New York, New York

MORVILLO ABRAMOWITZ GRAND
IASON & ANELLO P.C.

By: s/ Catherine M. Foti
Catherine M. Foti

565 Fifth Avenue
New York, New York 10017
(212) 880-9530 (phone)
(212) 856-9494 (fax)
cfoti@maglaw.com